

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 06-10-31**

Date Published: October 26, 2006
For Work Week Commencing: October 30, 2006
Commission Meeting: October 31, 2006, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. BLACK HILLS POWER D2006.10.148 (Eric)

On October 16, 2006, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on October 17, 2006. Requests for hearing were due by October 31, 2006. No requests have been

received. This application will increase revenues by \$47,197 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Probable motion: Grant BHP's Quarterly Fuel Rate Rider application.

2. Qwest Corporation N2006.10.147 (Scott)

On October 12, 2006 Qwest Corporation (Qwest) filed for Commission approval a Multiple-State Agreement (MSA) between Qwest and Sears Roebuck (Sears). Qwest is filing the MSA with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest renewing a contract with Sears to provide telecommunications services within Qwest's incumbent territory which include various locations in Montana. The services purchased by Sears are available from other competitive carriers in addition to Qwest. Probable Motion: Move to approve the Multi-State Agreement (MSA) between Qwest Corporation and Sears in Docket No. N2006.10.147.

3. Citizens Telecommunications N2006.10.150 (Scott)

On October 13, 2006, Citizens filed Advice Letter No. MT-06-10 Special Promotion. In this filing Citizens is requesting to introduce a special promotion beginning November 13, 2006, and continuing through February 10, 2007. Eligible customers that accept this offer and order Frontier Choicessm Tier Bundle will receive waivers of all installation charges (as specified in Tariff Section III, Nonrecurring Charges) and local service charges (as specified in Tariff Section III, Bundled Services) for the first month of service. If the customer terminates the Tier Bundle before the end of the 12-month period, an early termination fee will apply. If the customers are not satisfied with the Tier Bundle, they may cancel the service within the first 30 days of the service with no termination fee. Probable Motion: Move to approve Citizens' Advice Letter No. MT-06-10 in Docket N2006.10.150.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2006.3.39 – Qwest Corporation – Qwest's filing to offer certain services as not regulated – Address any and all pre-hearing matters including the October 25, 2006 Motion for Protective Order with respect to Data Request PSC-032. (10/31/06)
2. D2005.6.105 – PSC Initiated – Qwest use of federal universal service funds – Discussion, direction and action on procedural options, further proceedings and any other matters necessary. (10/31/06)
3. PSC – Annual Btu monitoring contract review – Discussion, direction and action on Btu monitoring contracts. (10/31/06)
4. L-06.5.2-RUL – PSC – Amendments to T-Com service standard rules – Discussion, direction and action on draft notice of adoption, other matters necessary. (10/31/06)
5. 2007 legislation, natural gas USB – Discussion, direction and action on PSC draft legislation. (10/31/06)
6. Staff out-of-state travel – Approve Joel Tierney's travel to Tulsa, OK, Dec. 3-8, for pipeline safety training course. (10/31/06)
7. D2003.7.86, D2004.6.96, D2005.6.103 – NorthWestern Energy – Consolidated QF dockets – Discuss/act on issues related to cost bases for long- and short-term avoided cost rates for prospective QF's, size threshold for any standard long-term rates, duration of contracts, renewable energy credit issues, and other related matters. (10/31/06)
8. **11/3/06 9:00 a.m.** - The FCC's Federal State Joint Board on Universal Service invited reply comments on using a reverse auction for purposes of federal universal service funding (FCC 06J-1) – Visit about and get approval to file the draft of reply comments. Reply comments must be filed by November 8, 2006 (WC Docket No. 05-337 and CC Docket No. 96-45). (10/31/06)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Qwest Corporation N2006.10.155 (Gary)

On October 25, 2006 Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and Fidelity National Financial Incorporated (Fidelity). Qwest is filing the MSA with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest renewing and expanding an existing contract with Fidelity to provide various telecommunications services within Qwest's incumbent territory which includes a location in Montana. The services purchased by Fidelity are available from other competitive carriers in addition to Qwest.

2. AT&T N2006.10.151 (Scott)

On October 17, 2006, AT&T filed Tariff Transmittal 2006-14. This filing clarifies the language for the Prepaid Phone Card.

3. AT&T N2006.10.154 (Scott)

On October 19, 2006, AT&T filed Tariff Transmittal 2006-15. This filing clarifies the language to the Public Payphone Surcharge Tariff for AT&T Prepaid Phone Service.

4. MDU Resources Group, Inc. D2006.10.153 (Eric)

On October 20, 2006, MDU Resources Group, Inc. applied for authority to issue up to 2,958,318 additional shares of its authorized but unissued Common Stock pursuant to MDU Resources' 401(k) Retirement Plan.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2006.10.151 – AT&T – Tariff Transmittal 2006-14, Clarify the Language for the Prepaid Phone Card

D2006.10.152 – CenturyTel of Montana – Application for Approval of the Adoption by Bresnan Digital Services, LLC of the Interconnection Agreement between CenturyTel of Montana, Inc. and IDT America, Corp.

D2006.10.153 – MDU Resource Group, Inc. – Application for Authorization for the Issuance of Securities

N2006.10.154 – AT&T – Tariff Transmittal 2006-15, Add Clarifying Language to the Public Payphone Surcharge Tariff for AT&T Prepaid Phone Service

N2006.10.155 – Qwest Corporation – Multi-State Agreement between Qwest Corporation and Fidelity National Financial Incorporated

